

Notice of Allowability

Application No.

10/699,181

Examiner

John Juba, Jr.

Applicant(s)

YAMABE, HIDEYASU

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed May 2, 2005.
2. ☒ The allowed claim(s) is/are 7-16.
3. ☒ The drawings filed on 31 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6/6/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art, taken alone or in combination, fails to teach or fairly suggest a door mirror comprising two divided surfaces provided with respective angle adjustment mechanisms for adjusting reflection angles of the two divided mirrors surfaces independently from each other [*i.e.*, arranged in a manner permitting such adjustment] particularly wherein the outer-side mirror surface is [further] provided with a turning mechanism causing the outer mirror to turn to such a position that what is behind the vehicle bodied is reflected thereon, thereby enabling a vehicle driver to observe what is behind the vehicle when the door mirror is folded down, as recited in claim 7.

Cited in Applicant's I.D.S. of June 6, 2005 is prior art to BMW (DE 3839322 A1). The divided mirror surfaces disclosed in this reference are coupled (especially at pivot point 8) such that the various adjustment mechanisms do not permit the reflection angles of the two mirror surfaces to be adjusted independently from each other.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

SCHEFENACKER VISION SYSTEMS AUSTRALIA (WO 03/011641 A1) disclose a mirror having divided surfaces, the inner surface having an angle adjustment mechanism for adjusting the reflection angle of the inner-side mirror surface independently from that of the outer-side mirror surface, and the outer-side divided mirror surface having a turning mechanism permitting rearward

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viewing when the mirror is folded. Although the turning mechanism is angularly adjustable, the examiner regards this angular adjustment to be the said-same mechanism as the turning mechanism: no separate angle adjusting mechanism is provided for the outer mirror surface. By contrast, claim 7 is construed as requiring *both* an angle adjustment mechanism *and* a turning mechanism for the outer mirror surface. Even if the aforesaid turning mechanism of the reference were regarded instead to be the claimed angle adjustment mechanism, the only structure remaining to be regarded as the turning mechanism would be the hinge (32, in Figs. 2a – 2c). It will be appreciated that the hinge *permits* the outer-side mirror surface to turn, but does not “cause” the outer-side mirror surface to turn (in the sense of cause and effect, or action and reaction). This reference discloses only three potential “causes” of the outer-side mirror turning, namely, manual manipulation, the illustrated actuating mechanism (Figs. 2a-2c), or a non-illustrated mechanical linkage urged by the mirror fold mechanism.

Keiji Shiina (JP 09-301072 A) discloses a folding door mirror having inner-side and outer-side mirror surfaces, the latter permitting rearward viewing when the mirror is folded.

Haruo Orihara (JP 2003-040037A) discloses a door mirror with an auxiliary mirror surface that permits rearward viewing when the mirror is folded.

Kichiji Yanagawa (JP 2000-108786 A) discloses a folding rear viewing mirror with inner-side and outer-side mirror surfaces, wherein the latter permits rearward viewing when the mirror is folded.

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KANTO AUTO WORKS LTD (JP 2000-052862 A) disclose a door mirror with an auxiliary mirror surface that permits rearward viewing when the mirror is folded.

MITSUBISHI MOTORS CORP (JP 11-115631 A) disclose a folding door mirror with a turning mechanism permitting rear viewing when the mirror is in various folded orientations.

KANTO AUTO WORKS LTD (JP 08-058473 A) disclose a folding door mirror with an auxiliary mirror surface that permits rearward viewing when the mirror is folded.

JAGUAR CARS LTD (GB 2 200 609 A) disclose a rear view mirror having two mirror surfaces permitting rearward viewing when the mirror is various orientations.

KANTO AUTO WORKS LTD (JP 08-198010 A) disclose a door mirror disclose a folding door mirror with a deployable auxiliary mirror surface that permits rearward viewing when the mirror is folded.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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Post-allowance papers should be mailed to **Box Issue Fee**. Post-allowance papers may also be faxed to correspondence branch in PUBs. The fax number is (703) 308-5083. The **PUBs customer service** number is (703) 305-8497.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Juba whose telephone number is (571) 272-2314. The examiner can normally be reached on Mon.-Fri. 9 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Drew Dunn whose number is (571) 272-2312 and who can be reached on Mon.- Thu., 9 - 5.


JOHN JUBA, JR.
PRIMARY EXAMINER
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July 15, 2005